THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.7046 of 2006

Date : 6-6-2006

Between:

J.Reginamma w/o.P.Rama Brahmam,

Aged 55 years, occ: Business,

R/o.H.No.16-3-991/3, Officers colony,

Malakpet, Hyderabad. .. Petitioner

And

1. Municipal Corporation of Hyderabad,

represented by its Commissioner,

Lower Tank Bund, Hyderabad.

2. Assistant City Planner, Circle-I,

Sardar Mahal, Charminar,

Hyderabad.

3. Mr.Raoof Khan s/o.Mohd.Zoorawar Khan,

occ: Business, r/o.H.No.16-3-991/27,

Malakpet, Hyderabad. .. Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.7046 of 2006

ORDER:

Heard both the Counsel.

The Writ Petition is filed praying for the relief of Writ of Mandamus directing the respondent-authorities to consider the complaint dated 6-3-2006 and stop immediately the further illegal construction of the 3rd respondent in premises No.16-3-991/26 and 16-3-991/27, Officers colony, Malakpet, Hyderabad by declaring the action of the respondent-authorities in not considering the complaint of the

petitioner as contrary to the provisions of the Hyderabad Municipal Corporation Act, 1955 and violative of Articles 14 and 21 of the Constitution of India and pass such other suitable reliefs.

In para-3 of the counter affidavit filed by respondents 1 and 2 it was specifically averred that during the inspection conducted on 24-4-2006 it was noticed that the 3rd respondent again commenced the construction by raising R.C.C. columns against the sanctioned plan and immediately the 3rd respondent was asked to stop the unauthorised construction and further action will be taken by the respondents-Corporation for removal of the said deviations. Certain particulars relating to the deviations also had been specified in the counter.

In the light of the stand taken by respondents 1 and 2 in the counter affidavit filed and also in the light of the averments made in the affidavit filed in support of the Writ Petition, this Court is of the considered opinion that the Writ Petition can be disposed of with the following direction:

Respondents 1 and 2 are hereby directed to take necessary action in accordance with law in the event of the deviations which had been specifically stated in the counter affidavit within a period of two months from the date of receipt of this order.

The Writ Petition is accordingly disposed of with the above direction. No order as to costs.

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Justice P.S. Narayana

Date : 6-6-2006

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